

REMARKS

The Application has been carefully reviewed in light of the Office Action dated December 29, 2004. Claims 2, 5 to 9, 11, 14 to 18 and 20 to 21 are in the application, of which Claims 6, 7, 15, 16, 20 and 21 are independent. Claims 6, 7, 15, 16, 20 and 21 are being amended. Reconsideration and further examination are respectfully requested.

By the Office Action, Claims 2, 5 to 9, 11, 14 to 18, 20 and 21 are rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,021,231 (Miyatake), and under 35 U.S.C. § 103(a) over U.S. Publ. No. 2002/0012521 (Nagasaki). Reconsideration and withdrawal of the rejections are respectfully requested.

The features recited respectively in independent Claims 6 and 7 have been discussed in previous papers, as has Nagasaki, and it is not deemed necessary to repeat that discussion in full. Among the features recited in these two claims is a "designating means for designating an image that corresponds to a start scene that is the object of a search and a number of scenes from the start scene included in a moving picture", as recited in Claim 6, and a "designating means for designating an image that corresponds to a start scene that is the object of a search and a time length of a scene from the start scene included in a moving picture", as recited in Claim 7.

Thus according to these respective claims, one important feature of the claimed apparatuses is to designate an image that corresponds to a start scene to be searched and a time length of scenes (Claim 7), or the number of scenes (Claim 6), included in a moving picture, respectively. According to both claims, the extracted scenes are combined into a single moving picture.

One example of a use to which either of these apparatuses might be put, is to generate a single moving picture by extracting and combining episodes of an episodic television show. The claimed apparatuses enable a user to designate a scene that is object of search (in other words, a start scene or opening image that is common to all of the episodes that are to be extracted) and the number of scenes (Claim 6) or the time length of the scenes (Claim 7) of the episodes.

With reference to the 35 U.S.C. § 102(e) rejection, the Office Action contends that Miyatake discloses, at col.6, line 5 to col.7, line 18, the designation means recited in Claims 6 and 7. However, this portion of Miyatake is seen to show a monitor window 40 used to specify the kind of feature vector used to retrieve a video for reproduction in the window 40. Referring to col. 5, lines 56 to 61, Miyatake is seen to describe that this feature vector may represent a time length between representative frames, and that a representative frame is a scene-change frame, as described in col. 4 lines 61 to 65 of Miyatake. Accordingly, Miyatake is merely seen to determine time length between two scene-change frames.

In addition, with reference to col. 5, lines 19 to 49, Miyatake is seen to describe that a feature vector of the representative frame can be converted into a character string, which can be used an enquiry video name, and that character codes forming the video name are matched with character codes forming each of a plurality of video names registered in enquiry video name register 25. If names are coincident, the retrieval is judged to be successful and a retrieval result is outputted. This is not seen to be the same as the output means which combines moving pictures extracted by extraction means, as recited in Claims 6 and 7 of the present application.

Thus, according to Miyatake, scenes having the same time length between representative frames can be extracted. However, Miyatake is not seen to show designating an image that corresponds to a start scene to be searched and a time length of scenes (Claim 7), or the number of scenes (Claim 6), included in a moving picture, respectively, extracting moving pictures based on the designation, and combining each of the extracted moving pictures into a single moving picture, as recited in Claims 6 and 7 of the present application.

Therefore, for at least the foregoing reasons, Claims 6 and 7 are believed to be patentably distinct from Miyatake. Further, Applicants submit that Claims 15, 16, 20 and 21 are also believed to be patentably distinct from Miyatake for at least the same reasons.

With reference to the 35 U.S.C. § 103(a) rejection, the Office Action concedes that Nagasaka does not disclose the claimed designating means, and relies on Miyatake to show this feature.

However, as described the above, Miyatake is not seen to show the claimed designation means. Therefore, it would not have been obvious to achieve the claimed invention from a combination of Nagasaka and Miyatake, if any such combination is even permissible.

Therefore, for at least the foregoing reasons, Claims 6, 7, 15, 16, 20 and 21 are believed to be in condition for allowance.

The other claims are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the

individual consideration of each on its own merits is respectfully requested.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



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- 12 -